

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MONTRAIL D. SMITH,
Petitioner,
v.

BRIAN E. WILLIAMS, SR., *et al.*,
Respondents.

Case No. 2:15-cv-00487-KJD-VCF

ORDER

In this habeas corpus action, the parties have fully briefed a motion to dismiss (ECF Nos. 72, 82, 91), and the parties are in the process of briefing a related motion for leave to conduct discovery (ECF Nos. 86, 92), motion for evidentiary hearing (ECF Nos. 85, 94), and motion to strike (ECF No. 93).

Petitioner Montrail D. Smith's replies in support of his motion for leave to conduct discovery and motion for evidentiary hearing are due May 28, 2020. See Order entered April 24, 2019 (ECF No. 68) (20 days for replies regarding such motions). Smith's response to Respondents' motion to strike is due May 22, 2020. See LR 7-2(b).

On May 15, 2020, Smith filed a motion for extension of time, requesting that all three of his upcoming filings be made due on the same date; apparently overlooking the provision regarding the briefing of motions for leave to conduct discovery and for evidentiary hearings in the April 24, 2019 scheduling order, and believing those two filings to be due on May 15, 2020, Smith asked for an extension to May 22, 2020, for all three filings.

The Court finds that Smith's motion is made in good faith and not solely for the purpose of delay, and that there is good cause to order all three of Smith's upcoming

1 filings due on the same date, the Court will grant Smith's motion in part and deny it in
2 part (as unnecessary) and extend to May 28, 2020, the deadline for his response to the
3 motion to strike. The Court will set June 11, 2020, as the deadline for Respondents'
4 reply in support of their motion to strike. The Court will not look favorably upon any
5 motion to further extend this briefing schedule.

6 **IT IS THEREFORE ORDERED** that Petitioner's Motion to Extend Time
7 (ECF No. 95) is **GRANTED IN PART AND DENIED IN PART**. Petitioner's response to
8 Respondents' motion to strike will be due on May 28, 2020, along with his replies in
9 support of his motion for leave to conduct discovery and his motion for evidentiary
10 hearing. Respondents' reply in support of their motion to strike will be due on
11 June 11, 2020.

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13 DATED THIS 19 day of May, 2020.

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16 KENT J. DAWSON,
17 UNITED STATES DISTRICT JUDGE
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